

mechanism between GovGuam and the various agencies through FEMA and its designated liaisons was crucial to the typhoon recovery.

H.R. 3157 will create a consistent mechanism of communication between the federal government and state and local entities for agricultural issues in the event of a disaster. I strongly support passage of H.R. 3157 and encourage my colleagues to vote in favor of this important disaster legislation.

Mr. STENHOLM. Mr. Speaker, I yield back the balance of my time.

Mr. GUTKNECHT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. GUTKNECHT) that the House suspend the rules and pass the bill, H.R. 3157, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 3157, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

#### RESOLVING BOUNDARY CONFLICTS IN VICINITY OF MARK TWAIN NATIONAL FOREST IN BARRY AND STONE COUNTIES, MISSOURI

Mr. GUTKNECHT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2304) to resolve boundary conflicts in the vicinity of the Mark Twain National Forest in Barry and Stone Counties, Missouri, that resulted from private landowner reliance on a subsequent Federal survey, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2304

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Certain landowners in Barry and Stone Counties, Missouri, innocently and in good faith relied on subsequent land surveys, which they believed to be correct, and occupied, improved, or claimed portions of adjoining Federal lands based on such survey information.

(2) The appropriate Federal agencies should undertake actions to correctly reestablish the corners of the Public Land Survey System in Barry and Stone Counties, Missouri, and rectify boundary conflicts and landownership claims against Federal lands resulting from subsequent land surveys, and do so in a manner which imposes the least cost and inconvenience to affected private landowners.

(b) PURPOSES.—The purposes of this Act are—

(1) to resolve boundary conflicts in Barry and Stone Counties, Missouri, arising from subsequent land surveys; and

(2) to minimize costs and inconvenience to the affected private property owners in Barry and Stone Counties, Missouri.

#### SEC. 2. RESOLUTION OF BOUNDARY CONFLICTS, VICINITY OF MARK TWAIN NATIONAL FOREST, BARRY AND STONE COUNTIES, MISSOURI.

(a) DEFINITIONS.—In this section:

(1) The term “appropriate Secretary” means the Secretary of the Army or the Secretary of Agriculture.

(2) The term “boundary conflict” means the situation in which the private claim of ownership to certain lands, based on subsequent land surveys, overlaps or conflicts with Federal ownership of the same lands.

(3) The term “Federal land surveys” means any land survey made by any agency or department of the Federal Government using Federal employees, or by Federal contract with State-licensed private land surveyors or corporations and businesses licensed to provide professional land surveying services in the State of Missouri.

(4) The term “original land surveys” means the land surveys made by the United States General Land Office as part of the Public Land Survey System in the State of Missouri, and upon which Government land patents were issued conveying the land.

(5) The term “Public Land Survey System” means the rectangular system of original Government lands surveys made by the United States General Land Office and its successor, the Bureau of Land Management, under Federal laws providing for the survey of the public lands upon which the original land patents were issued.

(6) The term “qualifying claimant” means a private owner of real property in Barry or Stone County, Missouri, who has a boundary conflict as a result of good faith and innocent reliance on subsequent land surveys, and as a result of such reliance, has occupied, improved, or made ownership claims to Federal lands.

(7) The term “subsequent land surveys” mean any land surveys made after the original land surveys.

(b) NOTICE OF BOUNDARY CONFLICT.—

(1) SUBMISSION AND CONTENTS.—A qualifying claimant shall notify the appropriate Secretary in writing of a claim that a boundary conflict exists with Federal land administered by the appropriate Secretary. The notice shall be accompanied by the following information, which, except as provided in subsection (d)(2)(B), shall be provided without cost to the United States:

(A) A land survey plat and legal description of the affected Federal lands, which are based upon a land survey completed and certified by a Missouri State-licensed professional land surveyor, and done in conformity with the Public Land Survey System and in compliance with the applicable State and Federal land surveying laws.

(B) Information relating to the claim of ownership of the Federal lands, including supporting documentation showing the landowner relied on a subsequent land survey due to actions by the Federal Government in making or approving surveys for the Table Rock Reservoir.

(2) DEADLINE FOR SUBMISSION.—To obtain relief under this section, a qualifying claimant shall submit the notice required by paragraph (1) within 15 years after the date of the enactment of this Act.

(3) RESPONSIBILITIES OF CLAIMANTS.—The qualifying claimant shall have the responsibility for establishing that the qualifying

claimant qualifies for the remedies provided in subsection (c).

(c) RESOLUTION AUTHORITIES.—The appropriate Secretary may take any of the following actions, or combination of actions, in order to resolve boundary conflicts with qualifying claimants involving lands under the administrative jurisdiction of the appropriate Secretary:

(1) Convey and quitclaim all right, title, and interest of the United States in land subject to a boundary conflict.

(2) Confirm Federal title to, and retain in Federal management, any land subject to a boundary conflict, if the appropriate Secretary determines there are Federal interests, including improvements, authorized uses, easements, hazardous materials, or historical and cultural resources, on the land that necessitates retention of the land.

(3) Compensate the qualifying claimant for the value of the overlapping property for which title is confirmed and retained in Federal management pursuant to paragraph (2).

(d) CONSIDERATION AND COST.—

(1) CONVEYANCE WITHOUT CONSIDERATION.—The conveyance of land under subsection (c)(1) shall be made without consideration if the appropriate Secretary determines that the boundary conflict was the result of the innocent detrimental reliance by the qualifying claimant on a subsequent land survey.

(2) COSTS.—The appropriate Secretary shall—

(A) pay administrative, personnel, and any other costs associated with the implementation of this section, including the costs of survey, marking, and monumenting property lines and corners; and

(B) reimburse the qualifying claimant for reasonable out-of-pocket survey costs necessary to establish a claim under this section.

(3) VALUATION.—Compensation paid to a qualifying claimant pursuant to subsection (c)(3) for land retained in Federal ownership pursuant to subsection (c)(2) shall be valued on the basis of the contributory value of the tract of land to the larger adjoining private parcel and not on the basis of the land being a separate tract. The appropriate Secretary shall not consider the value of any Federal improvements to the land.

(e) PREEXISTING CONDITIONS; RESERVATIONS; EXISTING RIGHTS AND USES.—

(1) PREEXISTING CONDITIONS.—The appropriate Secretary shall not compensate a qualifying claimant or any other person for any preexisting condition or reduction in value of any land subject to a boundary conflict because of any existing or outstanding permits, use authorizations, reservations, timber removal, or other land use or condition.

(2) EXISTING RESERVATIONS AND RIGHTS AND USES.—Any conveyance pursuant to subsection (c)(1) shall be subject to—

(A) reservations for existing public uses for roads, utilities, and facilities; and

(B) permits, rights-of-way, contracts and any other authorization to use the property.

(3) TREATMENT OF LAND SUBJECT TO SPECIAL USE AUTHORIZATION OR PERMIT.—For any land subject to a special use authorization or permit for access or utilities, the appropriate Secretary may convert, at the request of the holder, such authorization to a permanent easement prior to any conveyance pursuant to subsection (c)(1).

(4) FUTURE RESERVATIONS.—The appropriate Secretary may reserve rights for future public uses in a conveyance made pursuant to subsection (c)(1) if the qualifying claimant is compensated for the reservation in cash or in land of equal value.

(f) RELATION TO OTHER CONVEYANCE AUTHORITY.—Nothing in this section affects the